

1 Martha G. Bronitsky  
2 Chapter 13 Standing Trustee  
24301 Southland Dr #200  
3 Hayward, CA 94545-1541  
(510) 266- 5580

4 Trustee for Debtor(s)

5  
6 UNITED STATES BANKRUPTCY COURT  
7 NORTHERN DISTRICT OF CALIFORNIA

7 In Re  
8 Eric Keith Lofaso

9  
10 Chapter 13 Case Number:  
11 07-40538-RLE13

12 Debtor(s)

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13 **MOTION TO DISMISS CHAPTER 13 CASE FOR FAILURE TO MAKE PLAN  
14 PAYMENTS**

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15 **TO THE DEBTOR(S): YOU ARE BEHIND ON YOUR CHAPTER 13 PAYMENTS AND YOUR  
16 CASE WILL BE DISMISSED UNLESS YOUR DEFAULT IS CURED! YOU MUST TAKE  
17 ACTION WITHIN 21 DAYS OF THE DATE LISTED BELOW!**

18 **YOU ARE HEREBY NOTIFIED** that the Chapter 13 Trustee's records show that you have not made all  
19 the payments required by your confirmed Chapter 13 Plan.

20 **1. YOU ARE IN DEFAULT UNDER YOUR CHAPTER 13 PLAN.**

21 As of September 01, 2011 you should have paid a total of \$5,775.00 to the Chapter 13 Trustee.  
22 According to the Trustee's records, you are in default in the amount of \$315.00 . The default amount  
23 includes the current's month payment. The default amount does not include any payments which have been  
24 suspended. Suspended payments may not bind creditors. Payments must be current until this Motion is  
25 resolved.

26 2. In order to continue to receive protection of the United States Bankruptcy Court:

27 a. **YOU MUST** bring the case current by paying in certified funds to the Trustee in the amount of  
28 \$315.00 within 21 days of the date of this notice; OR

29 b. **YOU MUST** meet and confer with the Trustee by contacting the Client Services Department AND  
30 sign a Stipulation (agreement) describing how you will cure default in a manner which is acceptable to the  
31 Trustee. Such meeting shall be held at the office of the Trustee, at the address listed above, and shall be by  
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1 appointment only; OR  
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3 c. **YOU MUST** contact your attorney immediately. Your attorney may apply to modify the plan or  
4 advise you of any other legal options. This must be done within 21 days of this notice.  
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6 3. Unless you pay the default amount, stipulate to cure the default or file an Application to Modify plan, as  
provided in paragraph 2 above, twenty-one (21) days from the date of this notice, **YOUR CASE SHALL**  
**BE IMMEDIATELY DISMISSED WITHOUT ANY FURTHER NOTICE OR HEARING.**

7 Dated: September 01, 2011

/s/ Martha G. Bronitsky

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8 Signature of Martha G. Bronitsky  
9 Chapter 13 Standing Trustee

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In re  
Eric Keith Lofaso

## Chapter 13 Case No. 07-40538-RLE13

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the registered agent for the creditor by depositing it in the United States mail with first class postage attached thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Eric Keith Lofaso  
221 King St #403  
San Francisco, CA 94107

Patrick L Forte Atty  
1 Kaiser Plaza #480  
Oakland, CA 94612

(Debtor(s))

(Counsel for Debtor)

Date: September 01, 2011

/s/ CHRISTIE ACOSTA

CHRISTIE ACOSTA